

**REMARKS/ARGUMENTS**

Claims 37-40 are currently pending in this application. The Examiner has required election of one of the following groups of claims under 35 U.S.C. §121:

**Group I** – claims 1-36, drawn to improving reliability of channel quality indicator message method, classified in class 455, subclass 115.4.

**Group II** – claims 37-40, drawn to detail of determining channel quality of high speed shared control channel transmission, classified in class 455, subclass 454.

Applicants elect the claims of Group II (claims 37-40) without traverse for prosecution on the merits. Applicants have withdrawn claims 1-36 for filing in a divisional application.

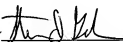
An early examination of the elected claims on the merits is respectfully requested.

**Applicant:** Rudolf et al.  
**Application No.:** 10/726,374

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Respectfully submitted,

Rudolf et al.

By  \_\_\_\_\_  
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